

Appln. No.: 09/873,394
Amendment dated January 30, 2006
Reply to Office Action of August 2, 2005

REMARKS

The Office Action of August 2, 2005, has been carefully reviewed and these remarks are responsive thereto.

Claims 1-16 remain pending in the application. Claims 1, 8, 9, and 12 have been amended to remove the word "directly" in front of "connected" regarding the connection between the database server and the web server. These modifications are not limiting in that they broaden the type of connection between the database server and web server.

Applicants traverse the Examiner's objection to the oath and rejections of the claims for the following reasons. Reconsideration and allowance of the instant application are respectfully requested.

Objection to the Declaration

Applicants note the Examiner's objection to the declaration regarding the spelling correction of Mr. Thomas Abruzzo's name from "Abruzo" to "Abrurzzo." The Examiner indicates that the modification was without initials or date. Applicants submit that the declaration is proper in that Mr. Abruzzo's signature appears proximate the change (just above it) and is dated (to the right of his signature). Applicants request the Examiner to withdraw the objection to the declaration. If the Examiner requests, Applicants will obtain a new declaration from Mr. Thomas Abruzzo.

Rejection of the Claims Over Anderson et al.

Claims 1-16 stand rejected under 35 USC § 102(e) over Anderson et al. Applicants traverse.

Claim 1 recites:

" a web server at a second location, said web server being
connected to said network and receiving said patient information;
a database server storing said patient information and being
connected to said web server."

Anderson et al. discloses a system for encrypting and signing a document and transmitting the encrypted and signed document to other entities. In the medical field, Anderson

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discloses a doctor creating, signing and forwarding a medical record to others, for example, for insurance processing or prescription filling. See the Abstract; Figures 20, 23, 26, 29, 32, 35, and 38; and the related description in columns 2, 7, 9-15, 18-20, 30, 34-35, and 37-40. However, in these descriptions, Anderson et al. discloses point-to-point transmissions of the encrypted information. There is no disclosure in Anderson et al. of any entity other than a doctor's own local database 570 (see Figure 26) storing medical records for later retrieval. While the doctor may transmit a medical record for remote handling by a remote party 468 (including "an insurance company, an administrator, or the like" see column 40, lines 6-8), there is no disclosure of a database server that stores the patient's information. Accordingly, claim 1 is allowable over Anderson et al.

Claims 8, 9, and 12 are allowable for at least this reason.

Claim 4 recites:

" a second client at a third location, said second client
connected to said network,
wherein said second client is able to obtain and/or update at
least some of said patient information."

Anderson et al. fails to disclose the second client able to obtain "said patient information" that is stored in the database from claim 1. Rather, in Anderson et al., the doctor 462 needs to transmit the medical record 520 to the second doctor 464 directly. There is no provision of a doctor 464 having the ability to access the patient's medical record stored on a remote database as claimed in claim 4. Accordingly, claim 4 is allowable over Anderson et al.

Claim 6 recites:

" wherein said permission is a referral regarding said second
client."

Anderson et al. fails to disclose any concept of a referral to a second client. The notary cited by the Examiner is not the same as a referral as claimed. Accordingly, claim 6 is allowable over Anderson et al.

In addition to the arguments raised above, claim 9 recites:

" receiving a form..."

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Anderson et al. lacks any disclosure regarding the claimed form. Rather, the system into which information is entered appears to be locally generated from local applications and not received from a remote source (see for example Figure 29 and its associated description). Accordingly, claim 9 is allowable over Anderson et al. for this reason in addition to the reason stated above with respect to claim 1.

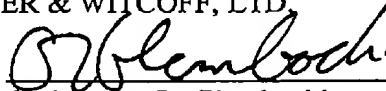
Dependent claims 2-3, 5, 7, 10-11, and 13-16 are allowable at least for the reasons stated above.

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3184.

Respectfully submitted,
BANNER & WITCOFF, LTD.

Dated: January 31, 2006

By:


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